

### **REMARKS**

In the pending Office Action, the Examiner has rejected claims 1, 3-16, and 24 under 35 U.S.C. §103(a) as being unpatentable over Jones (U.S. Patent No. 6,509,876) in view of Sward (U.S. Pub. No. 20030210199). Claim 23 is rejected as being unpatentable over Jones and Sward in view of Vanderhelm (U.S. Patent No. 6,847,830).

With this response, Applicant has filed a Declaration under 37 C.F.R. 1.131 which, in conjunction with the previously filed declaration, establishes a date of invention at least prior to the effective prior art date of Jones, which is September 8, 2000. Applicant respectfully submits that the redacted drawings attached as Exhibits A and B are sufficient to establish diligence from a date prior to the date of reduction to practice of the Jones reference to either a constructive reduction to practice or an actual reduction to practice. Thus, Jones is not valid prior art, and hence the pending rejections should be withdrawn.

### CONCLUSION

Applicant respectfully submits that all rejections have been overcome and that all pending claims are in condition for allowance.

If there are any additional charges, please charge them to our Deposit Account Number 50-0221. If a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Cyndi M. Wheeler at (916) 356-5358.

Respectfully Submitted,

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